

**LISTING OF CLAIMS:**

1. (Currently Amended) A method for a real estate agent to obtain a real estate listing for a property of a seller, the method comprising:

the real estate agent receiving from the seller the real estate listing for the property in return for providing an up-front monetary payment to the seller;

the real estate agent providing the first consideration up-front monetary payment to the seller, wherein the first consideration includes an up-front payment to the seller at the time the real estate agent receives the listing from the seller, and wherein the seller retains the up-front monetary payment received from the real estate agent if a sale condition for the property is not met during a defined period of time;

receiving from the seller the real estate listing for the property in return for providing the first consideration to the seller; and

the real estate agent receiving second consideration from the seller if the sale condition is met conditioned upon a sale condition for the property being met during a the defined period of time; and

granting the seller a right to retain at least a portion of the upfront payment conditioned upon the sale condition not being met by the end of the defined period of time, wherein the seller retains a least a portion of the upfront payment when the sale condition is not so met.

2. (Currently Amended) The method of claim 1, further comprising:

using a computer to track at least one of the first consideration up-front monetary payment, the real estate listing and the second consideration.

3. (Previously Presented) The method of claim 1, wherein the sale condition is receipt of a bona fide offer to purchase the property.

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4. (Previously Presented) The method of claim 1, wherein the sale condition is an executed purchase contract.
5. (Previously Cancelled).
6. (Currently Amended) The method of claim 1, wherein receiving ~~second~~ consideration includes receiving a refund of at least a portion of the up-front monetary payment-~~first~~ ~~consideration~~.
7. (Currently Amended) The method of claim 1, wherein receiving ~~second~~ consideration includes offsetting a purchase price for the property with a refund.
8. (Currently Amended) The method of claim 1, wherein receiving ~~second~~ consideration includes the real estate agent receiving a commission from the seller.
9. (Currently Amended) The method of claim 1, wherein the property has an associated price and providing the up-front monetary payment to the seller includes providing an advance of the price, and wherein receiving ~~second~~ consideration includes offsetting monies provided to the seller based on sale of the property by the advance.
10. (Currently Amended) The method of claim 1, wherein:  
the providing ~~first consideration~~ the up-front monetary payment includes providing ~~first~~ ~~considerations~~- up-front monetary payment to a plurality of sellers;  
the receiving the listing includes receiving listings from the plurality of sellers; and  
the receiving ~~a second~~ consideration includes receiving ~~second~~ considerations from a group of the plurality of sellers for which a corresponding sale condition is met.
11. (Previously Presented) The method of claim 1, wherein the listing is an exclusive listing.
12. (Previously Presented) The method of claim 10 wherein the group of sellers have different sale conditions.

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13. (Previously Presented) The method of claim 1, further comprising the real estate agent receiving financing from a financing agent.
14. (Currently Amended) The method of claim 13, further comprising using the financing to provide the up-front monetary payment first consideration to the seller.
15. (Previously Presented) The method of claim 13, further comprising making payment to the financing agent in return for receiving the financing.
16. (Previously Presented) The method of claim 15, wherein the payment to the financing agent in return for the financing includes paying a percentage of the financing.
17. (Previously Presented) The method of claim 15, wherein the payment to the financing agent in return for the financing includes paying a percentage of commissions for sale of one or more properties.
- 18 through 77 (Previously Cancelled).
78. (Previously Presented) The method of claim 1, wherein receiving ~~second~~ consideration includes receiving an increased commission as compared to other contracts for real estate listings.
79. (Previously Cancelled).
80. (Previously Presented) The method of claim 79, wherein the real estate listing is an exclusive real estate listing for an exclusivity time period, and wherein the time period equals the exclusivity time period.
81. (Currently Amended) The method of claim 1, wherein the ~~first consideration up-front monetary payment~~ further includes one or more of the following: goods; or services.
82. (Currently Amended) The method according to claim 1, in which the real estate agent offers the seller an option including a first and a second arrangement wherein the seller selects

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the second arrangement and the steps of claim 1 are performed as part of the second arrangement, the method further comprising:

offering the seller the first arrangement, wherein the real estate agent obtains the listing for the property and an opportunity to receive a first commission, and

offering the seller the second arrangement, wherein the real estate agent obtains the listing for the property and an opportunity to receive a second commission,

wherein the second commission is greater than the first commission by an amount,

wherein the seller receives the first consideration-up-front monetary payment for providing the listing in the second arrangement, the first consideration-up-front monetary payment not being included in the first arrangement; and

receiving a selection from the seller of the second arrangement, wherein the second consideration includes the amount.

83. (Previously Cancelled).

84. (Previously Cancelled).

85. (Currently Amended) The method of claim 1 further comprising:

offering the seller a first arrangement wherein the real estate agent obtains the listing for the property of the seller and receives an opportunity to obtain a first commission from the seller if a first sale condition is met; and

offering the seller a second arrangement wherein the real estate agent obtains the listing for the property and receives an opportunity to obtain a second commission if a second sale condition is met, and wherein the seller receives the first consideration-up-front monetary payment in return for the listing, the first consideration-up-front monetary payment not being

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included in the first arrangement, and wherein the seller keeps at least a portion of the ~~first~~ consideration up-front monetary payment if the second sale condition is not met.

86. (Previously Cancelled)